

**STATE OF CONNECTICUT  
CONNECTICUT SITING COUNCIL**

**Petitions of BNE Energy Inc. for a  
Declaratory Ruling for the Location,  
Construction and Operation of 4.8 MW  
Wind Renewable Generating Projects on  
Flagg Hill Road in Colebrook,  
Connecticut (“Wind Colebrook South”)  
and Winsted-Norfolk Road in Colebrook,  
Connecticut (“Wind Colebrook North”)**

**Petition Nos. 983 and 984**

**February 25, 2011**

**PRELIMINARY WITNESS AND EXHIBIT LIST  
OF FAIRWINDCT, INC., STELLA AND MICHAEL SOMERS AND SUSAN WAGNER**

Pursuant to the Siting Council’s instructions contained in its pre-hearing conference memo dated February 16, 2011, and the Council’s order on February 14, 2011 regarding grouping of parties, FairwindCT, Inc. (“FairwindCT”), Stella and Michael Somers (the “Somers”) and Susan Wagner (collectively, the “Grouped Parties”), the Grouped Parties hereby disclose their preliminary list of witnesses and exhibits. These lists are subject to revision at any time.

**FACT WITNESSES**

The Grouped Parties expect to present testimony by the following fact witnesses at the evidentiary hearing on Petition Nos. 983 and 984 scheduled to begin on March 22, 2011:

1. Joyce Hemingson. Ms. Hemingson is President of FairwindCT and will likely submit testimony regarding the effects of BNE’s proposals on conservation and natural beauty, the environment, personal health and biological values, historical sites and consumer interests.

2. Stella Somers. Ms. Somers will likely submit testimony regarding the effects of BNE's proposals on her historic property, Rock Hall, as well as testimony about the proposals' effects on tourism, small businesses in the area, personal health and safety and quality of life.

3. Susan Wagner. Ms. Wagner will likely submit testimony regarding the effects of BNE's proposals on her property and quality of life, her personal health and safety, and the health and safety of her family.

4. Residents of Fond du Lac, Wisconsin, Falmouth, Massachusetts, and/or Vinalhaven, Maine. Residents of these communities may testify regarding the adverse effect that siting industrial wind turbine projects has had on their health, quality of life and local environment.

#### **EXPERT WITNESSES**

1. William F. Carboni of Spath-Bjorklund Associates. Mr. Carboni is a professional engineer and will likely submit testimony regarding BNE's site plans, stormwater prevention plan, erosion and soil control plan and associated calculations.

2. Michael S. Klein of Environmental Planning Services. Mr. Klein is a biologist and wetland scientist and will likely submit testimony regarding BNE's wildlife and habitat study, its bat and breeding bird studies, and its plans regarding stormwater and erosion control. He will likely also testify about general environmental concerns associated with siting these industrial wind turbine projects on land that is primarily preserved in its natural state.

3. Eric Davison of Environmental Planning Services. Mr. Davison is a wildlife biologist and will likely submit testimony regarding the BNE's breeding bird study and its

discussion of protected species. Mr. Davison will likely also testify generally about the likely impact of these projects on local wildlife, with an emphasis on the bird population.

4. D. Scott Reynolds of North East Ecological Services. Dr. Reynolds is a biologist who studies bats and is based in New Hampshire. He will likely submit testimony regarding BNE's bat stud(ies) at one of the properties, the health of the bat population in New England generally and the effect of industrial wind turbine projects on the bat population.

5. Michael Bahtiarian of Noise Control Engineering, Inc. Mr. Bahtiarian is an acoustical engineer who will likely submit testimony regarding BNE's noise evaluation and claims regarding the noise levels that will be produced by its proposed turbines. Mr. Bahtiarian will likely also testify regarding lessons learned regarding noise and appropriate setbacks at other industrial wind turbine projects in New England.

6. Dr. Arline Bronzaft. Dr. Bronzaft will likely submit testimony regarding the health concerns associated with siting industrial wind turbine projects in proximity to residences, as proposed by BNE. Dr. Bronzaft will likely testify about the anecdotal and peer-reviewed evidence in this area, the common symptoms complained of by people living in proximity to wind turbines, the possible explanations for those maladies and the setback distance necessary to ensure the health of those living near wind turbine projects. (The Grouped Parties may also engage a medical doctor to discuss similar issues.)

7. Wilson Faude. The Grouped Parties are still in the process of engaging Mr. Faude, but expect that he will testify regarding the likely impact of BNE's projects on historic resources in the surrounding area, including Rock Hall. Mr. Faude will likely also testify generally about the need to protect and preserve historic properties such as Rock Hall.

8. Mark Franson of Charter Oak Environmental Services, Inc. Mr. Franson is an engineer and will testify regarding BNE's viewshed analyses and the distances the proposed turbines will be from residences, property lines, roads and other structures. Mr. Franson's testimony will utilize a terrain model exhibit.

9. Tom Hewson and/or David Pressman of Energy Ventures Analysis, Inc. Mr. Hewson and/or Mr. Pressman will likely testify about the nature of these proposals compared to other wind turbine proposals across the United States. Mr. Hewson and/or Mr. Pressman will likely testify regarding the wind assessment study submitted by BNE and BNE's predictions of efficiency rates and wind speed at its proposed location; the general suitability of these proposed sites and these proposed turbine layouts; the setbacks necessary to avoid injury and property damage as a result of ice throw, blade throw and turbine failure and/or collapse; the literature regarding the effect these proposals likely will have on property values; the local benefit BNE claims will result from its projects; BNE's claims that that its projects will reduce dependence on foreign fuel sources, reduce or eliminate emissions of pollutants and greenhouse gases and reduce environmental harm that can result from the extraction and use of fossil fuels; and the need for a decommissioning bond to be posted by BNE if these projects are approved, to ensure that the project sites would be restored to original conditions after the projects cease operations.

### **OTHER POTENTIAL WITNESSES**

The Grouped Parties may also submit testimony regarding the effects of these proposals on tourism in the region and the character and heritage of the region. Witnesses on these subjects may include representatives from the following organizations:

1. Upper Housatonic Valley National Heritage Area
2. Northwest Connecticut Chamber of Commerce
3. Litchfield Hills Northwest CT Convention Visitors Bureau
4. Connecticut Lodging Association
5. Connecticut Trust for Historic Preservation

### **EXHIBIT LIST**

The Grouped Parties are continuing to develop their exhibit list and reserve the right to supplement the following list of exhibits. At this time, in addition to documents that are included in the record of this proceeding or are pending requests for administrative notice, the Grouped Parties intend to present the following exhibits:

1. Thank you note from David Bahlman to Stella and Michael Somers, dated June 17, 2009
2. Rock Hall National Register of Historic Places Registration Form and Application, dated May 25, 2010
3. Letter from David Bahlman, Deputy State Historic Preservation Officer, to Michael and Stella Somers, dated August 5, 2010
4. Letter from David Bahlman to Nicole Dentamaro of VHB, dated December 22, 2010
5. Letter from Emily Gianquinto to David Bahlman, dated December 30, 2010

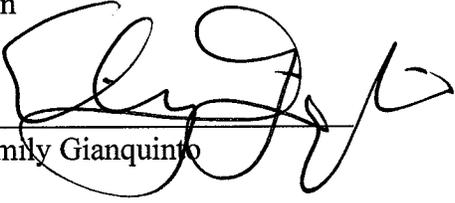
6. Letter from David Bahlman to Emily Gianquinto, dated January 5, 2011
7. Letter from David Bahlman to Nicole Dentamaro, dated January 5, 2011
8. Map of the Upper Housatonic Valley National Heritage Area
9. Order of the Colebrook Planning & Zoning Commission, dated approximately  
February
10. Terrain model of the area surrounding the proposed sites (not yet completed)

By:   
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**CERTIFICATION**

I hereby certify that a copy of the foregoing document was delivered by first-class mail and e-mail to the following service list on the 25th day of February, 2011:

Carrie L. Larson  
Paul Corey  
Jeffery and Mary Stauffer  
John R. Morissette  
Christopher R. Bernard  
Joaquina Borges King  
Thomas D. McKeon  
David M. Cusick  
Richard T. Roznoy  
Kristin M. and Benjamin C. Mow  
David R. Lawrence and Jeannie Lemelin  
Walter Zima

  
Emily Gianquinto